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| 10/618,749 | 07/15/2003 | Yasuo Mutsuro | 500.42938X00 | 6931 |

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EXAMINER

YODER III, CHRISS S

ART UNIT PAPER NUMBER

2622

DATE MAILED: 11/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/618,749

Applicant(s)

MUTSURO ET AL.

Examiner

Chriss S. Yoder, III

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Myers (US PGPub # 2002/0101519) in view of Hyuga (US Patent # 6,331,872).
2. In regard to claim 1, note Myers discloses the use of a camera system having a portable device and a camera (paragraphs 0023-0024 and figure 1: 2 and 5), said portable device comprising a receiver unit to receive image data photographed by the camera (paragraph 0023), a writer unit to write the received image data in a memory medium (paragraph 0025), said camera comprising a receiver unit to receive an ID (paragraph 0019 and figure 1: 2-3), an image pick-up unit to start image pick-up operation when receiving the ID (paragraph 0019, the detection unit 3 is used to capture the image), and a transmitter unit to transmit the photographed image data to the portable device (paragraphs 0023-0024, the images are transmitted to the portable device 5).

Therefore, it can be seen that Myers fails to disclose that the portable device has a memory unit to store an ID for identification of the portable device and a transmitter unit to transmit the ID to the camera. Hyuga discloses the use of a portable device that has a memory unit to store an ID for identification of the portable device (column 4, lines

44-50) and a transmitter unit to transmit the ID to an external device (column 4, lines 44-50). Hyuga teaches that the storage and transmission of an ID for identification of the portable device and a transmitter unit to transmit the ID to the external device are preferred in order to allow the user to select the beginning of the image pickup period (column 5, line 51– column 6, line 17). Therefore, it would have been obvious to one of ordinary skill in the art to modify the Myers device to include the storage and transmission of an ID for identification of the portable device and a transmitter unit to transmit the ID to the external device in order to allow the user to select the beginning of the image pickup period, as suggested by Hyuga.

3. In regard to claim 2, note Myers and Hyuga discloses that a server is provided (Myers: paragraph 0025; and Hyuga: column 5, lines 51-59 and figure 1: 17-18), said transmitter unit of the camera transmits said photographed image data and said ID to the server, and the server receives said image data and said ID from said camera and stores said data and ID as associated with each other (column 5, lines 51-59 and figure 1: 17-18).

4. In regard to claim 3, note Myers discloses the use of a terminal apparatus (paragraph 0027 and figure 1: 9), said terminal apparatus includes an input unit to enter an ID for identifying said portable device (paragraph 0028 and figure 8), a transceiver unit to transmit the entered ID to said server and to receive image data from said server (paragraph 0028), and an output unit to output the received image data (paragraph 0028, the images are displayed), and said server includes a transceiver unit to receive the ID for identifying said portable device from the terminal apparatus and to transmit

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image data to the terminal apparatus (paragraph 0028), and a search unit to search for the image data on the basis of the received ID (paragraph 0028, the associated images are retrieved).

5. In regard to claim 4, note Myers discloses that said server includes a transceiver unit to receive said ID and a password corresponding to the ID from a computer connected via a network and to transmit said image data corresponding to said ID via the network to the computer (paragraphs 0027-0028, figure 1: 9, and figure 8) and an analyzer unit to analyze said ID and password and to judge whether or not to transmit aid image data corresponding to said ID (paragraph 0028, the associated images are retrieved).

6. In regard to claim 5, note Myers discloses that the camera includes a unit to generate other image data having a resolution lower than a resolution of said photographed image data (paragraph 0019). Therefore, it can be seen that the primary device of Myers in view of Hyuga lacks the transmission of said photographed image data to said server and the transmission of the other image data having the lower resolution to said portable device. Official notice is taken that the concepts and advantages of the transmission of high resolution image data to a server and the transmission of low resolution data to a portable device are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary device to include the transmission of high resolution image data to a server in order to provide a central storage device to store large amounts of data for convenient user access, which can thereby reduce the storage necessary in the

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camera, and the transmission of low resolution data to a portable device in order to reduce the bandwidth necessary for transfer and reduce the storage necessary in the portable device.

7. In regard to claim 6, note Myers discloses the use of a camera system having a portable device and a server (paragraphs 0023-0024 and figure 1: 2, 5, and 8), said portable device comprising a memory unit (paragraph 0023 and figure 1: 19), and said camera comprising a receiver unit to receive the ID (paragraph 0019 and figure 1: 2-3), an image pick-up unit to start its image pick-up operation when receiving the ID (paragraph 0019, the detection unit 3 is used to capture the image), a transmitter unit to transmit the ID and the photographed image data (paragraph 0023-0025), and said server comprising a receiver unit to receive the ID and the image data (paragraph 0025), a memory unit to store information indicative of the ID and a transmission destination of the image data corresponding to the ID (paragraphs 0025-0027, paragraph 0043 and figure 5), and a transmitter unit to transmit the received image data to the transmission destination (paragraph 0027, the pictures are sent based on the users information).

Therefore, it can be seen that Myers fails to disclose that the portable device has a memory unit to store an ID for identification of the portable device and a transmitter unit to transmit the ID to the camera and that the data is transmitted from the camera and received by the server. Hyuga discloses the use of a portable device that has a memory unit to store an ID for identification of the portable device (column 4, lines 44-50) and a camera that transmits the ID and photographed data to a server (column 4,

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lines 44-50). Hyuga teaches that the storage and transmission of an ID for identification of the portable device and a transmitter unit to transmit the ID to the external device are preferred in order to allow the user to select the beginning of the image pickup period (column 5, line 51– column 6, line 17) and the transmission of the data to the server is well known in the art in order to provide a central storage device to store large amounts of data for convenient user access, which can thereby reduce the storage necessary in the camera. Therefore, it would have been obvious to one of ordinary skill in the art to modify the Myers device to include the storage and transmission of an ID for identification of the portable device and a transmitter unit to transmit the ID to the external device in order to allow the user to select the beginning of the image pickup period, as suggested by Hyuga.

8. In regard to claim 7, note Myers discloses that said camera includes a memory unit to store said image data therein, and before transmitting said image data stores said image data in the memory unit (paragraph 0019). Therefore, it can be seen that the primary reference of Myers in view of Hyuga fails to disclose that the server issues transmission permission to said camera according to predetermined conditions before transmitting the image data to the server. Official Notice is taken that the concepts and advantages of account authentication are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary device to include the use of account authentication on the server to issue transmission permission to the camera according to predetermined conditions before

transmitting the image data to the server in order to verify that the user has permission to access to the storage device.

9. In regard to claim 8, note Hyuga discloses that the portable device includes a shutter unit which indicates timing to be photographed and transmits said ID to said camera according to the indication of the timing to be photographed (column 6, lines 11-17).

10. In regard to claim 9, note Myers discloses the use of a transponder to transmit the ID to the camera (paragraph 0018), and therefore, it is considered to transmits said ID to said camera at intervals of a constant time (when the transponder is in range of the camera, the transponder transmits the ID at a constant interval).

11. In regard to claim 10, note Myers discloses the use of a portable device in a camera system having the portable device and a camera (paragraph 0024 and figure 1: 5), comprising a receiver unit to receive image data taken by the camera according to the ID (paragraph 0023), and a write unit to write the received image data in a memory medium (paragraph 0025). Therefore, it can be seen that Myers fails to disclose that the portable device has a memory unit to store an ID for identification of the portable device and a transmitter unit to transmit the ID to the camera. Hyuga discloses the use of a portable device that has a memory unit to store an ID for identification of the portable device (column 4, lines 44-50) and a transmitter unit to transmit the ID to an external device (column 4, lines 44-50). Hyuga teaches that the storage and transmission of an ID for identification of the portable device and a transmitter unit to transmit the ID to the external device are preferred in order to allow the user to select

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the beginning of the image pickup period (column 5, line 51– column 6, line 17).

Therefore, it would have been obvious to one of ordinary skill in the art to modify the Myers device so that the portable device includes the storage and transmission of an ID for identification of the portable device and a transmitter unit to transmit the ID to the external device in order to allow the user to select the beginning of the image pickup period, as suggested by Hyuga.

12. In regard to claim 11, note Myers discloses the use of a camera in a camera system having a portable device and the camera (paragraph 0021 and figure 1: 2), comprising a receiver unit to receive an ID for identification (paragraph 0019 and figure 1: 3), an image pick-up unit to start image pick-up operation when receiving the ID (paragraph 0019), and a transmitter unit to transmit the photographed image data in such a manner that the image data is stored in a memory medium of an external device (paragraph 0023-0025). Therefore, it can be seen that Myers fails to disclose that the ID is for the portable device and that the transmitter is used to transmit the image data to the portable device. Hyuga discloses the use of a portable device having a transmitter unit to transmit the ID to an external device (column 4, lines 44-50). Hyuga teaches that the transmission of an ID for identification of the portable device to an external device are preferred in order to allow the user to select the beginning of the image pickup period (column 5, line 51– column 6, line 17). Therefore, it would have been obvious to one of ordinary skill in the art to modify the portable computer of Myers (figure 1: 5) to include the transmission of an ID for identification of the portable device to an external device in order to allow the user to select the beginning of the image

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pickup period, as suggested by Hyuga (and by combining the portable device of Myers to include the transmission from the portable device of Hyuga, one would reach applicants claim of transmitting the image data to the portable device by transferring image data from the camera).

13. In regard to claim 12, note Myers discloses the use of a server in a camera system having a portable device, a camera and the server (figure 1: 2, 5, and 7), comprising a receiver unit to receive image data taken by the camera and the ID according to an ID for identification of the portable device (paragraph 0025), a memory unit to store the ID and information indicative of a transmission destination of the image data (paragraph 0027, the users information is stored with the image data), and a transmitter unit to transmit the received image data to the transmission destination (paragraph 0027). Therefore, it can be seen that Myers fails to disclose that the camera receives the ID from the portable device. Hyuga discloses the use of a portable device having a transmitter unit to transmit the ID to an external device (column 4, lines 44-50). Hyuga teaches that the transmission of an ID for identification of the portable device to an external device are preferred in order to allow the user to select the beginning of the image pickup period (column 5, line 51– column 6, line 17). Therefore, it would have been obvious to one of ordinary skill in the art to modify the portable computer of Myers (figure 1: 5) to include the transmission of an ID for identification of the portable device to an external device in order to allow the user to select the beginning of the image pickup period, as suggested by Hyuga.

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14. In regard to claim 13, this is a method claim, corresponding to the apparatus in claim 11. Therefore, claim 13 has been analyzed and rejected as previously discussed with respect claim 11.

15. In regard to claim 14, this is a method claim, corresponding to the apparatus in claims 1-2 (in combination). Therefore, claim 14 has been analyzed and rejected as previously discussed with respect claims 1-2.

16. In regard to claim 15, this is a method claim, corresponding to the apparatus in claim 6. Therefore, claim 15 has been analyzed and rejected as previously discussed with respect claim 6.

17. In regard to claim 16, note Hyuga discloses that the portable device includes a shutter unit which indicates timing to be photographed and transmits said ID to said camera according to the indication of the timing to be photographed (column 6, lines 11-17).

18. In regard to claim 17, note Myers discloses the use of a transponder to transmit the ID to the camera (paragraph 0018), and therefore, it is considered to transmits said ID to said camera at intervals of a constant time (when the transponder is in range of the camera, the transponder transmits the ID at a constant interval).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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US006919920B2: note the use of an imaging system having a camera connected to a server.

US006819867B2: note the use of a remotely controlled camera having.

US 20020149681A1: note the use of a camera that captures an image based on a tag in the image field.

US006937154B2: note the capture and transmission of images based on a tag in the image field.

US 20020008622A1: note the use of an imaging system having a camera connected to a server that picks up images and stores them with an associated ID.

US 20040105008A1: note the capture of images with an associated ID.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chriss S. Yoder, III whose telephone number is (571) 272-7323. The examiner can normally be reached on M-F: 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CSY
October 28, 2006


TUAN HO
PRIMARY EXAMINER